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as Chapter 7 Trustee*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

TRANSCARE CORPORATION, et al.,

Debtors.

SALVATORE LAMONICA, as Chapter 7
Trustee for the Estates of TransCare
Corporation, et al.,

Plaintiff,

- against -

LYNN TILTON, PATRIARCH PARTNERS
AGENCY SERVICES, LLC, PATRIARCH
PARTNERS, LLC, PATRIARCH PARTNERS
MANAGEMENT GROUP, LLC, ARK II
CLO 2001-1 LIMITED, TRANSCENDENCE
TRANSIT, INC. and TRANSCENDENCE
TRANSIT II, INC.,

Defendants.

Chapter 7

Case No. 16-10407-smb

Adv. Proc. No. 18-01021-smb

**PLAINTIFF-APPELLEE'S AMENDED COUNTER-
DESIGNATION OF ADDITIONAL ITEMS TO BE INCLUDED IN THE
RECORD ON APPEAL, PURSUANT TO RULE 8009(a)(2)¹**

¹ Amended to remove PX 75 from among the additional items designated.

Designation No.	Date	Document No.	Document Description
Adversary Proceeding Docket			
131	5/6/2019	84	Amended Answer to Complaint
Chapter 7 Case Docket			
132	5/9/2016	132	Corporate Ownership Statement and Amended List of Equity Security Holders
133	7/7/2016	199	Order Authorizing and Approving the Sale of Ambulance Service Certificate No. 0508 to Specialty Care Transport Inc.
134	7/7/2016	200	Order Authorizing and Approving the Sale of Ambulance Service Certificate No. 0509 to New York Medical Services Inc. or its Approved Designee, Including InstaCare EMS, LLC
135	7/7/2016	201	Order Authorizing and Approving the Sale of Ambulance Service Certificate No. 0667 to Maler Group LLC
136	7/7/2016	202	Order Authorizing and Approving the Sale of Ambulance Service Certificate No. 0510 to AMR Holdco, Inc. dba EMS Management LLC
137	7/7/2016	203	Order Authorizing and Approving the Sale of Ambulance Service Certificate No. 0164 to NYU Hospital Center
138	7/7/2016	204	Order Authorizing and Approving the Sale of Ambulance Service Certificate No. 0470 to Mobile Life Support Services, Inc.
139	7/7/2016	205	Order Authorizing and Approving the Sale of Ambulance Service Certificate No. 0164 to NYU Hospital Center
140	10/3/2016	284	Motion to Compel Turnover of Proceeds from the Sale of Certain Personal Property filed on behalf of Patriarch Partners Agency Services, LLC
141	3/7/2017	407	Moton to Approve, Pursuant to Rule 9019, Stipulation Between Chapter 7 Trustee and Patriarch Partners Agency Services, LLC Resolving its Motion to Compel Turnover of Proceeds from the Sale of Certain Personal Property
Joint Trial Exhibits*			
142	2/4/2015	JX 10	Email from Jean Luc Pelissier to Lynn Tilton, copying Brad Schneider and Glenn Farris - TransCare :: Escalated situation & corrective proposal
143	2/5/2015	JX 11	Email from Brian Stephen to Glenn Leland and Jean Luc Pelissier (CBA), copying Mark Bonilla, Jeff Ellis and Brad Schneider - RE: Privileged and Confidential

*Trial exhibits designated herein are annexed hereto, in the order designated hereby.

Designation No.	Date	Document No.	Document Description
144	11/14/2015	JX 51	Email from Michael Greenberg to Lynn Tilton, copying Jean Luc Pelissier and Rickie Chang - TransCare - presentation and budget model for TransCare's meeting with Wells Fargo at 2 p.m. on Monday, November 16th
145	2/9/2016	JX 72	Email from Lynn P. Harrison III to Brian Stephen, copying Steven J. Reisman, Cindi Giglio and Peter J. Buenger - RE: Hello Lynn
146	2/22/2016	JX 91	Email from Robert Strack to Lynn Tilton, John Husson, Melissa Provost, Michael Greenberg, Jean Luc Pelissier and Vincent Devito, copying Laurence Forte and Kurt Marsden - Re: 13 Week Model Question
147	2/24/2016	JX 100	Email from Brian Stephen to Jean Luc Pelissier and Michael Greenberg, copying Randy Jones, Peter Wolf and Thomas Fuchs - RE: Request for Assignment
148	2/25/2016	JX 103	Email from Brian Stephen to Matt Nolan and Jean Luc Pelissier, copying Glen Youngblood, Thomas Fuchs, Thomas Milea, Earl Kossuth, Jean Luc Pelissier (CBA), Michael Greenberg, Randy Jones and John Pothin - RE: Securing Assets
149	2/26/2016	JX 104	Email from Salvatore LaMonica to Linda Rifkin - Re: TransCare
150	2/26/2016	JX 105	Email from Randy Creswell to Salvatore LaMonica, copying Gary Herbst - RE: MTA Paratransit Contract
151	10/09/2017	JX 109 [Claim 586]	Proof of Claim of Ark II CLO 2001-1, Ltd. against TransCare Corporation
152	10/09/2017	JX 111 [Claim 587]	Proof of Claim of Patriarch Partners, LLC against TransCare Corporation
153	10/09/2017	JX 112 [Claim 585]	Proof of Claim of Patriarch Partners Management Group, LLC against TransCare Corporation
Plaintiff's Trial Exhibits*			
154	6/4/2012	PX 2	Notice of Payment Assignment, executed on behalf of TransCare New York, Inc. - Re: TransCare Paratransit and Ambulette Service Contracts
155	3/3/2015	PX 44	Email from Mike Weinberger to Lynn Tilton - RCA Proposal
156	7/8/2015	PX 73	Email from Mike Weinberger to Lynn Tilton - Ambulance acquisition
157	7/13/2015	PX 83	Email from Vincent Devito to Michael Greenberg - TransCare Inquiry

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Designation No.	Date	Document No.	Document Description
158	12/8/2015	PX 111	Email from Glenn Leland to Jean Luc Pelissier (CBA) and Michael Greenberg, copying Mark Bonilla - TCP
159	12/14/2015	PX 124	Email from Glenn Leland to Michael Greenberg, Brian Stephen, Jean Luc Pelissier and Mark Bonilla - National Express
160	12/16/2015	PX 126	Email from Daniel F. Fiorillo to John E. Husson, Kurt Marsden, Laurence S. Forte, Robert P. Strack and Melissa Provost - RE: Attorney client confidential information - TRANSCARE
161	12/16/2015	PX 128	Email from Kurt Marsden to Lynn Tilton - TransCare
162	1/26/2016	PX 174	Email from Michael Greenberg to Melissa Provost and John Husson, copying Jean Luc Pelissier- RE: Follow up
163	2/3/2016	PX 189	Email from Michael Greenberg to Alexander T. Witkes, copying Adam Katz and Carl Landeck
164	2/10/2016	PX197	Email from Michael Greenberg to Peter Wolf, copying Brian Stephen and Peter Ruffini - FW: Ark/TransCare Docs, attaching Ark II Credit Agreement, Security Agreement in favor of Ark II, Guaranty in favor of Ark II and Intercreditor Agreement
165	2/10/2016	PX 200	Transcendence Transit II, Inc., Action by Written Consent of the Sole Director
166	2/23/2016	PX 226	Email from Carlos Mercado to Lynn Tilton, copying Randy Jones and Renee Dudley - NYSIF Wire - Transcendence
167	2/24/2016	PX 228	Email from Michael Greenberg to Todd Trent, copying John Foerst, John Pothin and Jean Luc Pelissier - RE: Transcendence
168	2/24/2016	PX 229	TransCare New York, Inc, Written Consent of the Sole Director
169	2/24/2016	PX 233	Email from Michael Greenberg to Jason Miles, copying Thomas Charles, Todd Trent, Don Arrowood, Joe Donnelly, Justin Ubbenga, John Pothin, John Foerst, Brian Stephen and John Foerst - RE: Transcendence Transit II, Inc
170	2/25/2016	PX 235	Email from Brian Stephen to Robert Siegel and Michael Greenberg, copying Scott Whalen and Mark Villa - RE: Insurance
171	2/25/2016	PX 236	Email from Brian Stephen to Kevin Dell, Randy Jones, John Pothin and Jean Luc Pelissier - FW: Transcendence Transit

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Designation No.	Date	Document No.	Document Description
172	2/26/2016	PX 243	Email from Michael Greenberg to Earl Kossuth, copying Glen Youngblood, Jean Luc Pelissier, Brian Stephen and Kevin Dell - Re: Pennsylvania Department of Health Licensure need *URGENT
173	2/26/2016	PX 244	Email from Brian Stephen to Dian Morgenroth, copying Randy Creswell - Re: Transcendence Transit II, Inc./Paratransit Agreement
174	2/26/2015	PX 245	Email from Brian Stephen to Diane Morgenroth - Re: Transcendence Transit
175	2/27/2016	PX 247	Email from Jean Luc Pelissier (CBA) to Earl Kossuth, copying Randy Jones, Jean Luc Pelissier, Michael Greenberg, Matt Nolan and Thomas Fuchs - Re: Closure
176	2/29/2016	PX 249	Email from Michael Greenberg to Alexander T. Witkes, copying Jean Luc Pelissier - RE: TransCare - Follow up
177	3/17/2016	PX 255 [Ch. 7 Case Dkt. No. 37]	Motion of the Chapter 7 Trustee for Order Approving the Stipulation Respecting the Sale of Certain Personal Property and Granting Related Relief
178	3/25/2016	PX258 [Ch. 7 Case Dkt. #52]	Order Approving the Stipulation Respecting the Sale of Certain Personal Property and Granting Related Relief
179	1/11/2017	PX275 [Ch. 7 Case Dkt. #275]	Order Approving the Mutual Release and Settlement Agreement among the Chapter 7 Trustee, Wells Fargo Bank, N.A., Montefiore Medical Center, Montefiore Mount Vernon Hospital and Montefiore New Rochelle Hospital
Defendants' Trial Exhibits*			
180	8/4/2015	DX 68	Email from Lynn Tilton to Kurt Marsden- FW: TransCare - FYI - Envision Healthcare entered into definitive agreement to acquire Rural/Metro
181	10/6/2015	DX 73	Email from Lynn Tilton to Michael Greenberg, copying Jean Luc Pelissier, Randy Jones and John Pothin - Re: TransCare - plan to visit TransCare this afternoon
182	12/21/2015	DX 97	Email from Michael Greenberg to Lynn Tilton, copying Jean Luc Pelissier and Brian Stephen - TransCare - Summary of meeting with Wells Fargo
183	1/12/2016	DX 108	Email from Randy Jones to Lynn Tilton - Re: Rob Stuck and Thom Fuchs CoC bonus guidance

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Designation No.	Date	Document No.	Document Description
184	1/28/2016	DX 120	Email from Lynn Tilton to Michael Greenberg, copying Jean Luc Pelissier, Renee Dudley and Adam Katz - Re: TransCare - purchase of 2 vehicles (previously discussed)
185	2/12/2016	DX 140	Email from Jonathan N. Helfat to Cindi Giglio, Lynn P. Harrison III, Carl Landeck, Jonathan Killion, Marc Pfefferle, Lynn Tilton, Jean Luc Pelissier, Randy Jones, Michael Greenberg and Daniel F. Fiorillo, copying Robert Strack, John Husson and Melissa Povost - FW: TransCare
186	2/23/2016	DX 170	Email from Lynn Tilton to John Foerst and Todd Trent, copying Glen Youngblood, Michael Greenberg and Thomas Charles - RE: Loss run
187	7/31/2019	DX 196	Direct Testimony of Jonathan I. Arnold, Ph.D

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Dated: August 28, 2020

AMINI LLC

/s/ Bijan Amini

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